

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Southwestern Bell Telephone Company)	CC Docket No. 95-140
Tariff F.C.C. No. 73)	
Transmittal Nos. 2433 and 2449)	
)	
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ORDER

Adopted: January 24, 2002

Released: January 28, 2002

By the Commission:

1. On November 29, 1995, the Commission released an order in which it found unlawful certain provisions in Southwestern Bell Telephone Company’s (SWBT) “Request for Proposal” (RFP) tariff filed under Transmittal Nos. 2433 and 2449.¹ SWBT sought review of this decision in the U.S. Court of Appeals for the District of Columbia Circuit, and the court remanded the proceeding to the Commission for further explanation.² SWBT has now informed the Commission that it no longer wishes to pursue the matter and requests that the Commission close this docket.³ The provisions at issue in the investigation are not included in SWBT’s currently effective tariff. Therefore, we are closing CC Docket No. 95-140.

2. Accordingly, IT IS ORDERED that the investigation of Southwestern Bell Telephone Company’s request for proposal rates in CC Docket No. 95-140 IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary

¹ *Southwestern Bell Telephone Company*, CC Docket No. 95-140, Order Terminating Investigation, 11 FCC Rcd 1215 (1995).

² *Southwestern Bell Telephone Company v. FCC*, 100 F.3d 1004 (D.C. Cir. 1996).

³ *See* Letter from Davida Grant, Senior Counsel, SBC Communications, Inc., to Magalie Roman Salas, Secretary, FCC, CC Docket No. 95-140 (filed Jan. 9, 2002).